

Atty. Ref. P89.0252-01
CIP Declaration
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DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"METHOD FOR PRODUCING A WINDING PROTECTION FOR TAPE-WOUND CORES"

Case No. P-99,0252-01, the specification of which is attached hereto, and which is a continuation-in-part of my or our application, U.S. Serial No. 09/242,590, filed February 19, 1999, which was a National Stage Application under 35 USC 371 of PCT/DE97/01779 filed August 18, 1997, which claimed priority from German 196 33 883.9 of August 22, 1996.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below

Prior Foreign Application(s)

| Number | Country | Date |
|--------------|---------|-----------------|
| 199 33 883.9 | Germany | August 22, 1996 |

and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

Prior Foreign Application(s)

| Number | Country | Date |
|--------|---------|------|
|--------|---------|------|

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

| Number | Country | Date |
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(b) Under this section, information is material to patentability when it is not cumulative to information already of record: or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim: or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

